

**FACSIMILE** *BROWN MARTIN HALLER & McCLAIN*TO FAX NO.: 1-703-308-0552ATTENTION: Examiner Jeffrey A. Shapiro  
Group Art Unit 3651Attorneys at Law  
Patents, Trademarks,  
Copyrights, FranchisingFROM: J.W. McClain, Reg. No. 24,536  
Number of pages: 7  
(including cover page)1660 Union Street  
San Diego, California 92101Date of transmission: August 9, 2000Telephone: (619) 238-0999  
Facsimile: (619) 238-0062Attorney's Docket No.: 7480-PA1CP2**- IMPORTANT CONFIDENTIALITY INFORMATION -**


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Re: Application Ser. No. 09/364,794, filed July 30, 1999, for "VACUUM PNEUMATIC SYSTEM FOR CONVEYANCE OF ICE", Inventors: J. Eric Berge et al.

Facsimile transmittal of:

- a) Transmittal letter [1 page]
- b) Fee Calculation Sheet [1 page]
- c) Supplemental Response [4 pages]

The Patent and Trademark Office is authorized to charge all required fees related to this submission to Deposit Account No. 02-4070.

  
\_\_\_\_\_  
James W. McClain, Reg. No. 24,536  
Attorney for ApplicantOperator: Sheryl Schoen**OFFICIAL**

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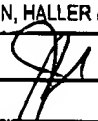
GROUP 3600


PTO/SB/21 (6-98)  
Approved for use through 9/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(To be used for all correspondence after initial filing)</p>	Application Number	09/364,794	
	Filing Date	July 30, 1999	
	First Named Inventor	J. Eric Berge et al.	
	Group Art Unit	3651	
	Examiner Name	Jeffrey A. Shapiro	
Total Number of Pages in This Submission	6	Attorney Docket Number	7480-PA1CP2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 50px; width: 100%;"></div>
<div style="display: flex; justify-content: space-between;"> <div>Remarks</div> <div style="font-size: 2em; font-weight: bold;">OFFICIAL</div> </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
ATTORNEY NAME	JAMES W. MCCLAIN
FIRM	BROWN, MARTIN, HALLER & MCCLAIN, LLP
SIGNATURE	
DATE	August 9, 2000

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on this date:			
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Signature		Date	August 9, 2000

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GROUP 3600

PTO/SB/17 (12/99)

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**FEE TRANSMITTAL  
for FY 2000**Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ 11.00)

**Complete if Known**

Application Number	09/364,794
Filing Date	July 30, 1999
First Named Inventor	Eric J. Berge et al.
Examiner Name	Jeffery A. Shapiro
Group / Art Unit	3651
Attorney Docket No.	7480-PA1CP2

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

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02-4070

BROWN, MARTIN, HALLER &amp; MCCLAIN

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Under 37 C.F.R. §§ 1.16 and 1.17

- 2.
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Order☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**= 1	X 18	= 18
Independent Claims	- 3***=	X	=
Multiple Dependent			=

\*\*or number previously paid, if greater. For Reissues, see below.

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims excess of 3
104	280	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 18.00)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - Late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	360	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,380	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of appeal	
121	280	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	James W. McClain	Registration No. (Attorney/Agent)	24,536	Telephone	(619) 238-0999
Signature		Date	August 9, 2000		

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	)	For: VACUUM PNEUMATIC SYSTEM FOR
J. ERIC BERGE ET AL.	)	CONVEYANCE OF ICE
Serial No.: 09/364,794	)	
Filed: July 30, 1999	)	Group Art Unit: 3651

## SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.111

Hon. Commissioner for Patents  
Washington, D.C. 20231

Attention: Jeffrey A. Shapiro  
Examiner

SUBMITTED VIA FACSIMILE  
1-703-308-0552

Dear Sir:

This communication is in response to the Office Action dated July 28, 2000, and supplemental to the previous response to the Office Action of April 20, 2000.

## Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Sheryl Schoen

Type or print name of person signing certificate

Sheryl Schoen  
(Signature)

Aug. 9, 2000  
(Date)

[AMDEBERG00.H09]